

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Andrew James Olafson,

Plaintiff,

-vs-

Ann Schulz, Wanda Bear, Della Lee,
Karen Marzolf, Jan Schultz, Shawn Lee,
Chad Schultz, Charles Alexander, Mike
James Grenz, Kerry Wicks, Randy
Switters, Alex Schweitzer, Travis
Bullock, Lynette Laber, Claudia Hoyt,
Shari Carr, Carley Randall, Dr. Mark
Rodlund, Marilyn Slaughter, and
JoMarie Wiest,

Defendants.

Case No. 3:14-cv-90

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, recommending that defendants, other than Kerry Wicks, Alex Schweitzer, and Dr. Mark Rodlund¹, are entitled to qualified immunity and thus the defendants' summary judgment motion should be granted.² No party has filed objections within the prescribed time. The Report and Recommendation was mailed to Plaintiff Andrew James Olafson and was not returned as undeliverable.

Upon review of the record, the applicable case law, and the magistrate judge's Report and Recommendation, the court finds that the magistrate judge's analysis is correct. The court hereby adopts the Report and Recommendation in its entirety. For the reasons stated in the Report and Recommendation, the defendants' motion for summary judgment³ is granted as to all defendants, except as to the previously stayed claims against Kerry Wicks,

¹ The claims against these defendants have been stayed pursuant to a previous court order.

² Doc. #110.

³ Doc. #90.

Alex Schweitzer, and Dr. Mark Rodlund. Olafson's complaint as to all defendants other than Kerry Wicks, Alex Schweitzer, and Dr. Mark Rodlund is DISMISSED with prejudice. The Clerk shall enter judgment in favor of the defendants, other than Kerry Wicks, Alex Schweitzer, and Dr. Mark Rodlund, and the case shall remain stayed in accordance with the court's previous orders regarding the claims against Defendants Wicks, Schweitzer, and Rodlund.

The court finds that and that any appeal would be frivolous, could not be taken in good faith, and may not be taken *in forma pauperis*.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 19th day of September, 2017.

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court